



# WASHOE COUNTY

Integrity Communication Service  
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CM/ACM \_\_\_\_\_  
Finance LR  
DA SH  
Risk Mgt DE  
HR N/A  
Comptroller CH

## STAFF REPORT

BOARD MEETING DATE: June 13, 2017

**DATE:** May 18, 2017  
**TO:** Board of County Commissioners  
**FROM:** Vahid Behmaram, Water Management Planner Coordinator, Community Services Department, 954-4647, [vbehmaram@washoecounty.us](mailto:vbehmaram@washoecounty.us),  
**THROUGH:** Dwayne Smith, P.E., Division Director, Engineering & Capital Projects, Community Services Department, 328-2043, [desmith@washoecounty.us](mailto:desmith@washoecounty.us)  
**SUBJECT:** Approve the Water Rights Deed transferring 2.02 acre-feet of water rights from Washoe County to the Burkhard Living Trust. (Commission District 5.)

### SUMMARY

Washoe County is conveying a portion of permit 58928, being 2.02 acre-feet of Verdi ground water rights to Burkhard Living Trust. These water rights were originally dedicated to Washoe County in support of residential lots within the Riverdale Subdivision in Verdi. All 59 lots within this subdivision were created with an entitlement to an individual domestic well as their source of water supply. Reversion map # 3529 recorded in 1999, combined two of the Riverdale lots into a single residential lot with a single domestic well. The recordation of the reversion map created a surplus of 2.02 acre-feet of ground water rights for the benefit of the owner of said two parcels, Burkhard Living Trust to which the water rights are being re-conveyed.

Washoe County Strategic Objective supported by this item: Stewardship of Our Community.

### PREVIOUS ACTION

On May 10, 2016, Washoe County executed two similar deeds of re-conveyance to two other residences of Riverdale subdivision with similar circumstances.

On February 9, 1988, the Board of County Commissioners (Board) approved a water rights deed conveying 119.18 acre-feet of Verdi ground water rights to Washoe County at a rate of 2.02 acre-feet for each of the 59 lots within Riverdale subdivision. This deed is recorded as document number 1231559 within the office of the Washoe County Recorder.

### BACKGROUND

Washoe County Community Services Department held 119.18 acre-feet of ground water rights associated with 59 lots within Riverdale Subdivision. The dedication of these water rights, at a rate of 2.02 acre-feet per parcel, occurred in 1988 by the Kronish Trust

AGENDA ITEM # 5.F.1.

in support of the recordation of the subdivision Tract Maps # 2500, # 2663 and #2754, which collectively created the 59 lots in Riverdale with a potential domestic well.

County records indicate that the Burkhard Living Trust acquired lots 9 and 10 of Riverdale Subdivision Unit 3, and proceeded to combine these two lots into a single residential lot through the recordation of Reversion Tract Map # 3529. Map # 3529 was recorded in 1999. The recordation of this reversion map created a surplus of 2.02 acre-feet of ground water rights, leaving behind 2.02 acre-feet to support the use of the domestic well on the Burkhard Living Trust's single residential parcel identified as Washoe County Assessor's Parcel No. 038-710-17.

Washoe County has completed the relinquishment of all the remaining portion of the 119.18 acre-feet of water rights to the State of Nevada as described below:

“ under NRS 534.350, a county may dedicate and relinquish sufficient water rights to offset water withdrawals from domestic wells of new homes. Water rights so relinquished revert to the source of the water. Should these homes later be added to a public water system, the public water system is entitled to receive a credit in the same manner as the addition of any other customer to the public water system pursuant to NRS 534.350.”

The relinquishment of the remaining water rights to the State of Nevada concludes Washoe County's goals and objectives identified within Article 422 of the development code.

### **FISCAL IMPACT**

There is no fiscal impact associated with execution of the Water Rights Deed.

### **RECOMMENDATION**

It is recommended that the Board of County Commissioners approve the Water Rights Deed transferring 2.02 acre-feet of water rights from Washoe County to the Burkhard Living Trust.

### **POSSIBLE MOTION**

Should the Board agree with staff's recommendation, a possible motion would be:  
“Move to approve the Water Rights Deed transferring 2.02 acre-feet of water rights from Washoe County to the Burkhard Living Trust.”

No APN

When recorded, return to:  
Burkhard Living Trust  
P.O. Box 250  
Verdi, NV 89439

**WATER RIGHTS DEED**

**WASHOE COUNTY**, a political subdivision of the State of Nevada, as GRANTOR, hereby conveys to Burkhard Living Trust as GRANTEE, the real property consisting of water rights described as follows:

A portion of Permit Number 58928, on file with the Nevada State Engineer, Division of Water Resources, to appropriate 2.02 acre-feet and a proportionate share of the rate of diversion of said permit.

**GRANTOR:**  
**WASHOE COUNTY**  
A political subdivision of the  
State of Nevada

By: \_\_\_\_\_  
Bob Lucey, Chair  
Board of County Commissioners

Attest: \_\_\_\_\_  
Nancy Parent,  
Washoe County Clerk

Date: \_\_\_\_\_

Date: \_\_\_\_\_

STATE OF NEVADA        )  
  ) ss.  
COUNTY OF WASHOE    )

On this \_\_\_\_\_ day of \_\_\_\_\_, 2017, before me, a Notary Public, personally appeared **Bob Lucey**, personally known to me to be the **Chair of the Washoe County Board of Commissioners**, who acknowledged to me that he executed the foregoing document.

\_\_\_\_\_  
Notary Public

My Commission expires: \_\_\_\_\_



# Washoe County COMMUNITY SERVICES DEPARTMENT

February 17, 2016

Burkhard Living Trust  
P.O. Box 250  
Verdi, NV 89439

Subject: Water Right permit #58928 associated with 65 Water Buck Way

Dear Trustee of the Burkhard Trust:

Washoe County Community Services Department is currently holding 119.18 acre-feet of ground water rights associated with 59 lots within Riverdale Subdivision. The dedication of these water rights, at a rate of 2.02 acre-feet per parcel, occurred in 1988 by the Kronish Trust in support of the recordation of the subdivision Tract Maps # 2500, # 2663 and #2754, which collectively created the 59 lots in Riverdale with a potential domestic well.

County records indicate that you acquired lots 9 & 10 of Riverdale Subdivision Unit 3, and proceeded to combine these two (2) lots into a single residential lot through the recordation of Reversion Tract Map # 3529. Map # 3529 was recorded in 1999. The recordation of this reversion map created a surplus of 2.02 acre-feet of ground water rights, leaving behind 2.02 acre-feet to support the use of your domestic well on your single residential parcel identified as Washoe County Assessor's Parcel No. 038-710-17.

Washoe County would like to: a) re-convey by deed the surplus water rights to you and, b) to proceed with the Relinquishment of all the remaining water rights to the State of Nevada as described below:

" under NRS 534.350, a county may dedicate and relinquish sufficient water rights to offset water withdrawals from domestic wells of new homes. Water rights so relinquished revert to the source of the water. Should these homes later be added to a public water system, the public water system is entitled to receive a credit in the same manner as the addition of any other customer to the public water system pursuant to NRS 534.350."

The purpose of this letter is to inform you of these actions. The executed deed will then be mailed to your attention at the above address by certified mail. It is your responsibility to record the deed with the County recorder's office, which may require payment of transfer taxes. You should also file the deed with the State Engineer's office using a "Report of Conveyance" form. Please do not hesitate to contact me if you wish to discuss further or have any questions. I will attach a business card with all necessary information to communicate with me. I am also enclosing maps relevant to this letter.

Sincerely

A handwritten signature in black ink, appearing to read "Vahid Behmaram".

Vahid Behmaram  
Water Management Planner Coordinator

cc. David M. Solaro, Arch, P.E., Director  
Mark Sivazlian, P.E., State Engineer's office

1001 E. 97<sup>th</sup> Street · P.O. Box 11130, Reno, Nevada 89520-0027  
Phone (775) 328-2039 · Fax (775) 328-3699





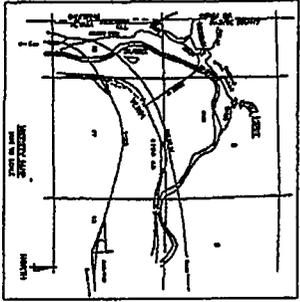
b25c

DESIGN OF WATER RESERVATION CERTIFICATE

DATE: 5-24-89

PROJECT: ...

DATE: 5-24-89



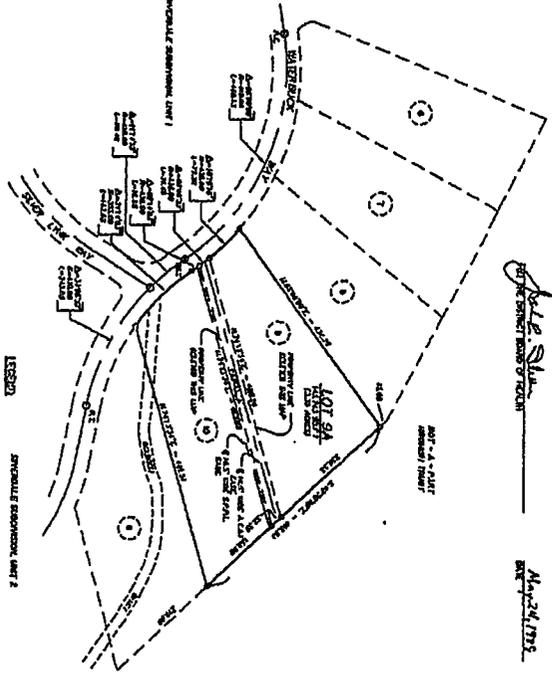
UTILITY COMPANIES' CERTIFICATE

DATE: 5-24-89

ADDRESSES

- 1. ALLISON ...
2. A PUBLIC ...
3. A PUBLIC ...
4. NO ...
5. THE ...
6. ALL ...

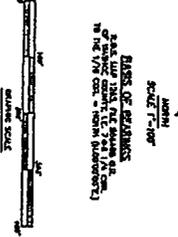
CONVEYANCE CERTIFICATE
I HEREBY CERTIFY ...



- LESSON
1. ...
2. ...
3. ...
4. ...
5. ...

GENERAL ASSURANCE CERTIFICATE

DATE: 5-20-89



GENERAL CERTIFICATE

DATE: 5-24-89

NOTARY PUBLIC

DATE: 5-24-89

UTILITY COMPANIES' CERTIFICATE

DATE: 5-24-89

SEWERAGE CERTIFICATE

DATE: 5-24-89



TOTAL AREA RESERVED: 143,750 SQ. FT. = 3.25 AC.

REVERSION TO ACREAGE

Table with columns for lot number, area, and owner name.

Reversion Parcel Map 3529

3529

No APN

When recorded, return to:  
Grantee Name  
And Address Here

**WATER RIGHTS DEED**

**WASHOE COUNTY**, a political subdivision of the State of Nevada, as **GRANTOR**, hereby conveys to \_\_\_\_\_**NAME**\_\_\_\_\_, as **GRANTEE**, the real property consisting of water rights described as follows:

A portion of Permit Number #####, on file with the Nevada State Engineer, Division of Water Resources, to appropriate water with an annual consumptive use of ##### acre-feet and a proportionate share of the rate of diversion of said permit..

**GRANTOR:**  
**WASHOE COUNTY**  
A political subdivision of the  
State of Nevada

**GRANTEE:**  
**BUSINESS OR TRUST NAME HERE**

By: \_\_\_\_\_  
Kitty K. Jung, Chair  
Board of County Commissioners

By: \_\_\_\_\_  
Signator's name here  
Signator's title here (if needed\_)

Date: \_\_\_\_\_

Date: \_\_\_\_\_

Attest:

By: \_\_\_\_\_  
Nancy Parent, County Clerk